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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/808,654

03/24/2004

Rex Sandwith

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6106

8791

7590

04/07/2006

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EXAMINER

SAIN, GAUTAM

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/808,654	SANDWITH, REX	
	Examiner	Art Unit	
	Gautam Sain	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- 1) This is a NonFinal Rejection in response to document filed 3/24/04.
- 2) Claims 1-8 are pending and rejected in this action.
- 3) Effective filing date 3/24/04.

Claim Rejections - 35 USC § 103

- 4) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4-1) Claims 1, 2, 4-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahoney (US 5193125, issued Mar 9, 1993), in view of Munro et al (US 2002/0089549, published Jul 2002).

Regarding claims 1 and 5, Mahoney suggests tracing a topology ... binary branches. For example, Mahoney discloses a local hierarchical processing focus shift within an image, with analysis of fragments of a two-dimensional binary image, each of whose pixels can be designated as (m,n) coordinates (col 4, lines 10-15). Mahoney does not expressly teach simultaneously generating XML elements ... structure of the object, but Munro does suggest it. For example, Munro discloses image having a hierarchical structure (ie., a natural bitmap image) with vectors where the folder of graphical objects and images may be represented in XML by PIXML tag (paragraph 43).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Mahoney to include analyzing an images hierarchical structure and

representing the objects in XML as disclosed in Munro, providing the benefit of displaying and manipulating multiple images, in a single window, over a network, which overcomes the disadvantage of being slow and inefficient (Munro, para 5 and 8).

Regarding claims 2 and 6, Mahoney does not expressly teach any of the limitations, but Munro does suggest them. Munro suggests generating ... object. For example, Munro discloses a natural bitmap image (para 43), which is equivalent to a skeleton, by viewing the claim limitation with it's broadest reasonable interpretation.

Munro suggests generating and empty XML file. For example, an XML file structure starts out empty prior to being populated with data upon initial use (Munro, page 46). Munro suggest tracing the bitmap skeleton from a suitable end point on the skeleton; recursively selecting adjacent pixels of the bitmap skeleton; and adding line and grouping elements to the XML file when either 0 neighboring pixels are encountered. For example, analyzing behavior tags that specify how items zoom and pan, the items inherit a behavior from its parent or default value (Munro, page 34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Mahoney to include analyzing an images hierarchical structure and representing the objects in XML, where object inherit a behavior from it's parents as disclosed in Munro, providing the benefit of displaying and manipulating multiple images, in a single window, over a network, which overcomes the disadvantage of being slow and inefficient (Munro, para 5 and 8).

Regarding claim 8, Mahoney does not teach XML file ... referencing system, but Munro does suggest them. For example, an XML document defining bitmap images

with an image database (para 4, 27, 33) with images stored in an array without expressly storing pixel locations, rather relying on other properties.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Mahoney to include an image array structure where XML document defines the bitmap images with an image database as disclosed in Munro, providing the benefit of displaying and manipulating multiple images, in a single window, over a network, which overcomes the disadvantage of being slow and inefficient (Munro, para 5 and 8).

Regarding claim 8, Mahoney does not teach XML file ... referencing system, but Munro does suggest them. For example, an XML document defining bitmap images with an image database (para 4, 27, 33) with images stored in an array.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Mahoney to include an image array structure where XML document defines the bitmap images with an image database as disclosed in Munro, providing the benefit of displaying and manipulating multiple images, in a single window, over a network, which overcomes the disadvantage of being slow and inefficient (Munro, para 5 and 8).

4-2) Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahoney (as cited above), in view of Munro et al (as cited above), further in view of Jones (USPGPUB 2003/0100969, published May 29, 2003).

Regarding claims 3 and 7, Mahoney in view of Munro does not expressly teach the limitations of the claim, but Jones does suggest them. For example, Jones discloses

coordinating haptics with visual images in a human-computer interface where objects is represented in the image as a rotated and titled relative to the viewer (paragraph 6).

The examiner interprets the claims with their broadest reasonable interpretation for drawing an object and thereafter rotating and reference suggests this conceptual interpretation. For example, scaling, rotation and (x,y,z) position of each object using a program where the 2-D object is rotated (paragraph 47).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 571-272-4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GS
GS 3/30/06


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